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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 RICKIE L. BURDO, )  
13 Plaintiff, ) Case No. 2:17-CV-02203-APG-VCF  
14 v. )  
15 NANCY A. BERRYHILL, ) **UNOPPOSED MOTION FOR**  
16 Acting Commissioner of Social Security, ) **EXTENSION OF TIME AND PROPOSED**  
17 Defendant. ) **ORDER**  
18 **(DEFENDANT'S FIRST REQUEST)**

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19 Defendant Nancy A. Berryhill, Acting Commissioner of Social Security ("Defendant")  
20 respectfully requests that the Court extend the time for Defendant to file her response to Plaintiff's  
21 motion for summary judgment and cross motion for summary judgment, due on February 1, 2018, by 32  
22 days, through and including March 5, 2018.

23 (1) An extension of time is needed as Defendant's counsel is in the process of contacting  
24 his client, the Office of Hearing Operations (OHO) for the purposes of seeking settlement authority in  
25 this case.

1                             (2) The undersigned is requesting a 32-day extension to insure the necessary time for  
2 discussion with OHO, and for them to provide a response within the next 32 days.

3                             (3) In addition, the respective counsels will need additional time to negotiate the terms of any  
4 settlement.

5                             (4) Plaintiff's Reply brief, if necessary will be due on March 26, 2018.

6                             (5) Counsel for Defendant conferred with Plaintiff's counsel by email, who has no opposition to  
7 the requested extension on January 26, 2018.

8                             (6) This request is made in good faith with no intention to unduly delay the proceedings.

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10                             Respectfully submitted this 26<sup>th</sup> day of January 2018.

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12                             DAYLE ELIESON  
13                             United States Attorney

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15                             */s/ Richard M. Rodriguez*  
16                             RICHARRD M. RODRIGUEZ  
17                             Special Assistant United States Attorney

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19                             IT IS SO ORDERED:

20  
21                               
22                             The Honorable CAM FERENBACH  
23                             UNITED STATES MAGISTRATE JUDGE

24  
25                             DATED: 1-29-2018

## **CERTIFICATE OF SERVICE**

I, Richard M. Rodriguez, certify that the following individual was served with a copy of the **UNOPPOSED MOTION FOR EXTENSION OF TIME** on the date and via the method of service identified below:

## **CM/ECF:**

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Dated this 26th day of January, 2018

*/s/ Richard M. Rodriguez*  
RICHARD M. RODRIGUEZ  
Special Assistant United States Attorney